

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

C.R.No.1449 of 2007
DATE OF ORDER: 16.3.2007

Gaurav Garg

...Petitioner(s)

Versus

Dr Pawan Kumar and Another

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. Arun Jain, Advocate.

M.M. AGGARWAL,J

This is petition against order dated 15.2.2007 passed by Rent Controller/Civil Judge(Sr.Divn.), Chandigarh whereby the Rent Controller said that the ejectment order cannot be executed when appeal against that order is pending. He had adjourned the matter for awaiting order of the appellate authority, Chandigarh.

Counsel for the petitioner-landlord argues that there was a default by the tenant and that he had not complied with the order of the appellate authority and that stay was granted by the appellate authority subject to the condition that tenant deposits arrears of rent upto the date within fortnight with the Rent Controller and continues paying the rent by 10th of each month. Counsel for the petitioner-landlord argues that there had been default and the Rent Controller was bound to execute the ejectment order.

The appeal is admittedly pending before the appellate authority. If there is any problem or any clarification required then parties are to approach that appellate authority. No action/order is required to be made by this Court.

The appellate authority may take steps to decide the appeal itself expeditiously.

With this observation, petition stands disposed of.

March 16, 2007
manoj

(M.M. AGGARWAL)
JUDGE